

Attachment to Independent Case Review Report  
For CDRU # 465 Case file # 95-277975.

Material Examiner: Malone (RO)

Remarks:

Guilty plea, no transcript available.

## INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: Steve Robertson

Area(s) of Expertise: Hair and Fiber

Review commenced at: 10:00 AM (Time), 03/13/2001 (Date)

File #: 95-277975

Laboratory #(s): 70410057  
\_\_\_\_\_  
\_\_\_\_\_

### Examiner(s) & Symbols

	Reviewed	Not Reviewed		Reviewed	Not Reviewed
<u>RQ</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<u>XE</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

### Materials Reviewed

Trial testimony transcript(s) of: \_\_\_\_\_

Testimony Date(s): \_\_\_\_\_ Pages: \_\_\_\_\_

Laboratory Report(s):

Laboratory Number: 70410057 Date: Oct. 8, 1987

Laboratory Number: \_\_\_\_\_ Date: \_\_\_\_\_

Laboratory Number: \_\_\_\_\_ Date: \_\_\_\_\_

Examiner Bench Notes of: RQ

Laboratory Number: 70410057  
\_\_\_\_\_  
\_\_\_\_\_

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Initials: SR

Was any other material reviewed? ☒ Yes ☐ No

If yes, please identify and/or describe the material: Submitting agency letter (dated 4-9-87)

### Results of Review

File #: 95-277975 Item or Specimen # Reviewed: Q1-Q47, K1-K5

#### Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?  
☐ Yes ☐ No ☒ Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?  
☐ Yes ☒ No ☐ Unable to Determine

#### Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

☒ Transcript not available,

- 3) Testimony consistent with the laboratory report(s)? ☐ Yes ☐ No ☐ Unable to Determine
- 4) Testimony consistent with the bench notes? ☐ Yes ☐ No ☐ Unable to Determine
- 5) Testimony within bounds of examiner's expertise? ☐ Yes ☐ No ☐ Unable to Determine

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Initials: SM

Comments

(Set forth by above question #, if applicable.  
Use "Additional Comments" Sheet, if needed)

File #: 95-277975

#1: With microscopic hair comparison, even with the best notes, there is no way to determine the comparison was performed correctly.

#2: The examination results set forth in the laboratory report are supported by the bench notes, but the documentation is marginally adequate. The notes are not dated or initialed and are in pencil. RQ uses abbreviations to indicate the microscopic characteristics of the hair. These abbreviations are difficult to interpret.

The notes appear to indicate that a white Caucasian head hair was recovered from the suspect's boots (Q2), but this hair was not reported and was apparently not compared to the victim's hair.

Review completed at: 10:30 AM (Time), 03/13/2001 (Date)

Total time spent conducting review (to nearest 1/4 hour): 0:30 hours

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 4 pages.

Steve Roberts  
(Signature)

03/13/2001  
(Date)

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Initials: SRM

Additional Comments  
(Set forth by question #, if applicable)

File #: 95-277975

#2 (continued): The notes appear to indicate that a Negroid hair was recovered from the vacuum sweepings of the victim's residence (Q26). The presence of this hair was not reported and it apparently was not compared to the suspect's hair. Another hair, recovered from the victim's blanket (Q33), has Negroid characteristics but is deemed unsuitable for comparison. This hair was also not mentioned in the report, and there is no documentation as to why this hair is unsuitable for comparison.

The hair match was apparently verified by a second hair examiner.

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Initials: SM